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Pursuant to Civil L.R. 3-16, the undersigned, counsel of record for Defendants Joseph E. Baratta and TBIG Financial Services, Inc., certifies that the following listed party may have a pecuniary interest in the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification or recusal.

1. Sandra Baratta: wife of Defendant Joseph E. Baratta.

DATED: March 6, 2008

Respectfully,

GILBERT R. SEROTA DIANA C. CAMPBELL MILLER HOWARD RICE NEMEROVSKI CANADY FALK & RABKIN A Professional Corporation

By: /s/
GILBERT R SEROTA

Attorneys for Defendants JOSEPH E. BARATTA AND TBIG FINANCIAL SERVICES, INC.